

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO. 01-5126 CIV-MORENO

ANNA HERNANDEZ,

Plaintiff,

v.

IBERIA AIRLINES OF SPAIN, S.A.
d/b/a IBERIA, LINEAS AEREAS
DE ESPANNA, S.A., a foreign corporation,

Defendant.

NIGHT BOX
FILED

APR 04 2002

CLARENCE MADDOX
CLERK, USDC / SDC / MIA

**PLAINTIFF'S MOTION FOR ENLARGEMENT OF TIME
AND MEMORANDUM OF LAW IN SUPPORT THEREOF**

COME NOW, the Plaintiff, ANNA HERNANDEZ, by and through her undersigned counsel and files this, their Motion for Enlargement of Time to file a Reply to Defendant's Response to Plaintiff's Motion for Consolidation, and as grounds therefore would state as follows:

1. On March 22, 2002, Plaintiff filed a Motion for Consolidation with this Court.
2. On March 29, 2002, Defendant filed a Response to Plaintiff's Motion for Consolidation with the Court.
3. According to the Plaintiff's calculations, a Reply to Defendant's Response would be due April 8, 2002.
4. That the undersigned has been out of town at a Cuban American Bar Association Conference from March 28, 2002 through April 5, 2002, and hereby requests additional time in order to prepare a proper reply.

5. Counsel for Plaintiff has contacted Defendant's counsel with regard to this matter, who has indicated that she has no objection with the enlargement of time as stated herein.

MEMORANDUM OF LAW

Fed.R.Civ.P. 6B provides in relevant part as follows:

When by these rules or by notice given thereunder or by order of a Court an act is required or allowed to be done at or within the specified time, the Court for cause shown may at any time in its discretion (1) with or without motion or notice order the period enlarged if the request is therefore made before the expiration of the period originally prescribed or is extended by a previous order or if (2) upon motion made after expiration of the specified period permit the act to be done where the failure to act was the result of an excusable neglect.

Plaintiff has shown good cause as to why this Motion for Enlargement of Time should be granted. Furthermore, the parties to this action would not be prejudiced by the granting of the same.

WHEREFORE, the Plaintiff respectfully requests that this Honorable Court grant an enlargement of time up to April 12, 2002 within which to file her Reply to Defendant's Response to Plaintiff's Motion for Consolidation.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and mail on this 8th day of April, 2002 and directed to: Susan N. Eisenberg, Esq., Akerman, Senterfitt & Eidson, P.A., Attorneys for Defendant, SunTrust International Center, 28th Floor, One Southeast Third Avenue, Miami, Florida 33131-1704.

Respectfully submitted,

PATINO & ASSOCIATES
Counsel for Plaintiff
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By: 

Ralph G. Patino
Florida Bar No.: 768881